

The Mandamus Case.

Yesterday was the day fixed for hear-

ing the petition filed by the District At-

torney on the relation of J. R. Chal-

mers—counsel for Chalmers, Messrs.

Nugent & McWillie, and for Manning,

Messrs. E. M. Watson and L. Brame.

The court having convened—Judge

Wharton presiding, counsel for Chal-

mers read the petition, to which coun-

sel for the Secretary of State filed a

plea in abatement. To that plea the

petitioner filed a demurrer. The plea

in abatement to the 2d petition, in ad-

dition to the facts stated in 1st peti-

tion, recited that the Secretary of State

had refused to obey the order granted

upon the 1st petition, and prayed he be

proceeded against as in contempt of process.

To that plea a demurrer was filed and

on argument of counsel it was sustained.

The ground of the plea in abatement

was that the whole matter in issue was

fully presented in the 1st petition, and

would be disposed of by the judgment

of the court on that petition. For

which reason, the demurrer was sus-

tained. The court stated in delivering

its opinion on the demurrer that the

whole matter in issue was presented in

the 1st petition, and would arise upon

the question of jurisdiction to grant the

order which was granted, in the first

instance, restraining the Secretary of

State from proceeding with the count of

the votes returned from Tate county

until it was ascertained how the dis-

crepancy arose between the certificate

of the Commissioners of Election, which

showed that James R. Chalmers re-

ceived 1472 votes, and the tally-sheet

attached thereto, which showed that

J. R. Chalmers received 1472 votes;

that if it should be decided that the

court had no such jurisdiction, then the

Secretary of State was justified in dis-

obeying it, but if it was decided that

such jurisdiction then a writ would be

taken upon the Secretary for being in

contempt of its process. The court

further stated that, in the latter ques-

tion, no intimation of opinion would be

given until full argument was had.

The case will be decided at the ensu-

ing term of the court beginning the 1st

Monday of January.

THE MANNING-CHALMERS CASE.

The Aberdeen Examiner has a long

article on this case, written by the

editor in Washington, which is worth-

while the statement that "the fact that

the certificate being issued (by the

Secretary of State) on the strength of

a clerical error will not be denied by

Mr. Manning if a contest is made"—that

"the error will be charged and admit-

ted"—and that Mr. Manning (conced-

ing, we suppose, Tate county to Chal-

mers) will undertake to prove that "in

certain counties the State authorities

were not permitted to hold an election

in accordance with the requirements of

our statutes, because their functions

were usurped by United States Su-

perior, Marshals, revenue officers, etc.,

to such an extent as to create a doubt

as to the result," or, in other words, to

violate the election. And the Examiner

concludes with this significant declar-

ation:

"But we do know that Mr. Manning

has been more embarrassed than aided in

his fight, by the Tate county error, and

its necessary sequel, the bestowal of the

certificate. This certificate has placed him

in a most embarrassing attitude, for the

reason that it shows his contest in public

estimation, by creating the impression

that his claim to a seat is embodied and

comprised in his possession."

Mr. Manning is certainly correct in

his estimate of a certificate based upon

the Secretary of State's interpretation

of the Tate county returns. It was a

fatal gift. As for his being placed in

Death of Ex-Governor Benjamin G. Humphreys.

Died, at his home in Leffers county, on

Wednesday, December 25th, Ex-Governor

Benjamin G. Humphreys. Disease had

long preyed upon his body, and his family

and friends had been brought to a sad

realization that his journey among them

could not be long. He had lived a life of

usefulness and honor, and died, without reproach,

universally beloved and lamented. He

was a native of Mississippi, born in

the year 1809, and had lived beyond the

period of human life allotted by the

palms. He was a cadet in the military

academy at West Point, with Hon. Jefferson Davis, between

whom and himself there existed a warm

friendship from that early period until

the close of his life. He served his native

county of Claiborne in the Legislature

before the war, and afterwards, his State

in her Chief Executive office. While in

the discharge of the duties of the latter

office he was dismissed from it by the military

power of the government wielded by Gen.

Ame, who afterwards occupied the office,

and as a just retribution, was expelled

from the Legislature, and was thereafter

under charges of high crimes and mis-

deanors preferred by the representatives

of the people after he had obtained con-

trol of his State government.

Bright as were Gen. Humphreys' civil

record, it was on the field of battle

that he won his highest renown. He

entered the Confederate service as Col-

onel of the 21st Mississippi Regiment

in the brigade which was first com-

manded by Gen. Richard Griffith, who

fell mortally wounded at Malvern Hill, and

next by Gen. William Burke, who fell

on the heights of Gettysburg. On the death

of the latter, he assumed command of the

brigade and led it through many of the

hardest fought battles of the war. With

the exception of his service as Governor

of the State, after the war, he lived on

his farm, and devoted himself to agricultural

pursuits, always however taking a profound

interest in public affairs. A true patriot,

a noble, brave, more generous spirit,

never ascended from its earthly tabernacle

of his God.

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THE LATE MR. GARFIELD AS A CIVIL SERVICE REFORMER.

Interesting Letter to Dorsey, the

Chief of the Star-Route Clan.

The Dorsey, the chief of the indicted

Star-route conspirators, has furnished

the New York Herald a mass of letters

written by the late President Garfield

and some of his lieutenants, during the

late Presidential campaign, which will

give a view of their true inwardness on

the question of civil service reform at

that time. These letters show that

Dorsey was the generalissimo of the cam-

paign, and most trusted of all the lead-

ers of the Garfield forces, and that the

latter who has since been canonized as

a saint was a strong believer in the po-

tency of

MONEY IN ELECTIONS.